

## UNITED STATES DISTRICT COURT

for the  
WESTERN DISTRICT OF OKLAHOMA

In the Matter of the Search of  
(Briefly describe the property to be search  
Or identify the person by name and address)  
Premises located at  
1020 S 20th St  
Chickasha, Oklahoma

Case No: M-22-70-SM

## APPLICATION FOR SEARCH WARRANT

I, a federal law enforcement officer or attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following [Person or Property?] (*identify the person or describe property to be searched and give its location*):

See Attachment A

Located in the Western District of Oklahoma, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B

The basis for the search under Fed. R. Crim.P.41(c) is(*check one or more*):

- ☒ evidence of the crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

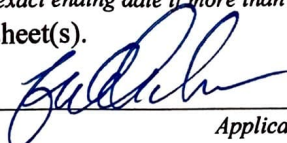
Code Section  
18 U.S.C § 844(i)

Offense Description  
Arson of building affecting interstate commerce

The application is based on these facts:

See attached Affidavit of Senior Special Agent Chad Oubre, Bureau of Alcohol, Tobacco, Firearms and Explosives, which is incorporated by reference herein.

☒ Continued on the attached sheet(s).  
☐ Delayed notice of [No. of Days] days (*give exact ending date if more than 30 days*) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet(s).

  
Applicant's signature  
Chad Oubre  
Senior Special Agent  
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to before me and signed in my presence.

Date: February 4, 2022

  
Judge's signature

City and State: Oklahoma City, Oklahoma

Suzanne Mitchell, U.S. Magistrate Judge  
Printed name and title

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, Chad Oubre, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been so employed since December of 2009. I have completed the Criminal Investigator Training Program and the Special Agent Basic Training Academy required by ATF for all special agents employed by ATF. Prior to becoming an ATF Special Agent, I earned a Bachelor of Science Degree in Criminal Justice from The University of North Texas. I have also taken graduate level courses from Oklahoma State University in the study of forensic science, fire investigation, fire dynamics and fire chemistry. In addition, I have also received numerous hours of training related to conducting fire origin and cause investigations from ATF as well as from the National Fire Academy.

2. My current assignment as a Special Agent is to provide technical support and analysis to assist other ATF Special Agents, as well as other stated and federal agencies, in fire investigations and training activities. This technical support includes fire origin and cause determinations, court preparation and presentation of

evidence, technical interpretation of fire-related information, and presentation of expert witness opinions.

3. As a result of my training and experience as an ATF Special Agent, I am familiar with Federal criminal laws and I know it is a violation of Title 18 United States Code 844(i) for any person to maliciously damage or destroy, or attempt to damage or destroy, by means of fire or an explosive, any building, vehicle, or other real or personal property used in interstate or foreign commerce or in any activity affecting interstate or foreign commerce.

4. I have been trained to conduct fire scene examinations in accordance with industry standards related fire investigation. These fire scene examinations are conducted to collect and analyze data that can be used to make determinations as to the origin and cause of fires.

5. Through this training and my personal experience, I know that persons who commit arson will often use ignitable liquids (referred to as “accelerants”) in order to assist in fire development and progression. These persons may also use “trailers” to communicate fire between distant points. All of these items tend to leave a “forensic trail” capable of being found by a fire scene examination. Additionally, forensic examination can also determine the presence or absence of accidental fire causes.



6. Based upon my training and experience and the facts set forth herein, there is probable cause to believe that evidence of the violations of 18 USC § 844(i) (arson of a building affecting interstate commerce), may exist and will be located at 1020 S. 20th St., Chickasha, Oklahoma (the **SUBJECT PROPERTY**), within the Western District of Oklahoma, to include all storage places, safes, garages, structures and any automobiles which may be found within the curtilage of said suspected premises, as more fully described in Attachment “A.” I make this affidavit in support of an application under Rule 41 of the Federal Rules of Criminal Procedure for a warrant to search the premises described in Attachment “A” for the things described in Attachment “B.” Attachment “A” and Attachment “B” are attached hereto and incorporated herein by reference.

7. This Court has jurisdiction because the **SUBJECT PROPERTY**, which is located within the Western District of Oklahoma, was being used as rental property on February 3, 2020, and thus affected interstate commerce. *Russell v. United States*, 471 U.S. 858, 862 (1985) (holding local “rental of real estate is unquestionably such an activity” that affects interstate commerce for purposes of 18 U.S.C § 844(i)).

8. Since this affidavit is being submitted for the limited purpose of enabling a judicial determination of whether probable cause exists to justify the issuance of a search warrant for the described premises, I have not included each and

every fact known concerning this investigation. I have set forth only the facts that I believe are essential to establish the necessary foundation for a search warrant ordering the search of the **SUBJECT PROPERTY**.

### **PROBABLE CAUSE**

9. The following information was relayed to me by other law enforcement investigators unless otherwise stated herein.

10. On February 3, 2022, The Chickasha Fire Department responded to a structure fire at the **SUBJECT PROPERTY**. Chickasha Fire Department Chief Tony Samaniego, who has had specialized training in fire investigations, conducted a brief scene examination immediately after the fire was extinguished. During that examination, Chief Samaniego smelled an odor within the living room that he knew to be the odor of an ignitable liquid.

11. The Chickasha Police Department spoke with a neighbor who lives near the **SUBJECT PROPERTY**. The neighbor had observed an individual matching the description of Prime Brown, the resident of the **SUBJECT PROPERTY**, on the front porch of the **SUBJECT PROPERTY** while the house was on fire. The neighbor also stated that Prime Brown run away from the scene when Prime Brown heard responding emergency crews approaching. Chickasha Police located Prime Brown a short distance from the **SUBJECT PROPERTY** and arrested him for public intoxication. Officers found a lighter on Prime Brown's person and observed

smoke deposition around his nose and face consistent with having recently been near a fire.

12. According to the Grady County Tax Assessor, this **SUBJECT PROPERTY** is owned by Howell Rentals LLC. Additionally, Chickasha investigators were able to speak with Kenneth Howell who confirmed that the address is being utilized as a rental property and is currently leased to Prime Brown.

### **CONCLUSION**

13. Based on the above and the totality of the circumstance, I believe that probable cause exists to search 1020 S. 20<sup>th</sup> St., Chickasha, Oklahoma, the residence of P.B. to include all storage places, safes, garages, structures and any automobiles which may be found within the curtilage of said suspected premises, as more fully described in Attachment A, for evidence of violations of Title 18 USC 844(i) (arson of a building affecting interstate commerce) that are more fully described in Attachment B.



CHAD OUBRE  
Senior Special Agent, ATF

Subscribed and sworn before me this 4th day of February 2022.



SUZANNE MITCHELL  
United States Magistrate Judge



## **ATTACHMENT A**

The residence to be searched is located at 1020 S. 20th St., Chickasha, Oklahoma, within the Western District of Oklahoma, to include all storage places, safes, garages, structures and any automobiles which may be found within the curtilage of said suspected premises. The residence is a single-story house with white siding, white trim and brown shingles. A concrete driveway connects the garage to 20th St and address numbers of "1020" are located next to the front door of the residence.



**ATTACHMENT B**

1. Items of evidence that show dominion and control of the premise. These items may include, but are not limited to; personal identification, utility bills, photographs and personal letters or personal property.

2. Gasoline, or any ignitable liquid or container used to contain, transport or conceal an ignitable liquid.

3. Any item of evidence, or object, that may have caused and/or contributed to the ignition and/or growth of the fire. Such items may include, but are not limited to; fire debris, electrical appliances, gas appliances (heaters, cooking appliances etc.)